

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Terry Lee Branson,

Case No. 16-cv-2802 (WMW/LIB)

Plaintiff,

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

v.

Kevin D. Moser et al.,

Defendants.

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This matter is before the Court on the July 22, 2019 Report and Recommendation (R&R) of United States Magistrate Judge Leo I. Brisbois. (Dkt. 91.) The R&R recommends granting Defendants' motion to dismiss Plaintiff's amended complaint. No objections to the R&R have been filed. In the absence of timely objections, this Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having conducted its review, the Court finds no clear error as to the R&R's determination that the Court lacks subject-matter jurisdiction to address Plaintiff's claims.

Based on the R&R, the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The July 22, 2019 R&R, (Dkt. 91), is **ADOPTED**;
2. Defendants' motion to dismiss, (Dkt. 76), is **GRANTED**; and

3. Plaintiff Terry Lee Branson's amended complaint, (Dkt. 53), is **DISMISSED**  
**WITHOUT PREJUDICE.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 9, 2019

s/Wilhelmina M. Wright  
Wilhelmina M. Wright  
United States District Judge